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UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

UNITED STATES OF AMERICA, Plaintiff,  v.  SANDWICH ISLES COMMUNI- CATIONS, INC., <i>et al.</i> , Defendants.	Civ. No. 18-145 JMS RT  UNITED STATES' MOTION FOR GARNISHMENT DISPOSITION ORDER
AND RELATED COUNTERCLAIMS AND THIRD-PARTY CLAIMS	

UNITED STATES' MOTION FOR GARNISHMENT DISPOSITION ORDER

The United States moves the Court to enter a garnishment disposition order (“Order”) pursuant to 28 U.S.C. § 3205(c)(7). Section 3205(c)(7) states:

After the garnishee files an answer and if no hearing is requested within the required time period, the court shall promptly enter an order directing the garnishee as to the disposition of the judgment debtor’s

nonexempt interest in such property. If a hearing is timely requested, the order shall be entered within 5 days after the hearing, or as soon thereafter as is practicable.

28 U.S.C. § 3205(c)(7). On May 5, 2023, the United States filed an Application for Writ of Garnishment directed to First Insurance Company of Hawaii, LTD (“Garnishee”) against certain property of Defendant-Judgment Debtor Sandwich Isles Communications, Inc. (“Sandwich Isles” or “Debtor”), pursuant to 28 U.S.C. § 3205. ECF No. 496. On May 17, 2023, the Court granted the United States’ application and served the Debtor and Garnishee with the Writ of Garnishment, Instructions to the Garnishee, Answer of the Garnishee Form, Clerk’s Notice of Post-Judgment Garnishment and Instructions to Defendant Judgment Debtor, Request for Hearing Form, Notice to Defendant-Judgment Debtor on How to Claim Exemptions, and Claim for Exemption Form. ECF Nos. 497-499.

On May 24, 2023, the United States filed its Notice of Service, pursuant to 28 U.S.C. § 3205(c)(3). ECF No. 500. Garnishee filed and served its Answer to the Writ of Garnishment on May 26, 2023, stating that it has custody, control or possession of \$75,000.00 in settlement funds (the “Property”) to be paid to Debtor. ECF No. 501. On June 9, 2023, Creditor Tamashiro Sogi & Bonner, A Law Corporation objected to the Garnishee’s Answer, which this Court overruled on June 13, 2023. ECF Nos. 502, 503. Debtor has not objected or requested a hearing within the time

allowed by 28 U.S.C. § 3205(c)(5), and no other objections have been made. All prerequisites for the Order pursuant to 28 U.S.C. § 3205 have been satisfied.

Accordingly, the United States moves the Court to enter an order directing the Garnishee to pay the Property to the United States.

Dated: June 20, 2023

Respectfully submitted,

BRIAN BOYNTON  
Principal Deputy Assistant Attorney General

RACHEL S. MORIYAMA #3802  
Civil Chief, District of Hawaii  
Attorney for the United States  
Acting under Authority Conferred by 28  
U.S.C. § 515

/s/ Miniard Culpepper Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of June, 2023, a copy of the foregoing  
**UNITED STATES' MOTION FOR GARNISHMENT DISPOSITION**  
**ORDER** was served by the ECF system on all parties who have consented to  
service in that manner, and by first class U.S. mail on:

First Insurance Company of Hawaii, Ltd.  
Claims Department  
1100 Ward Avenue  
Honolulu, Hawaii, 96813

Albert S.N. Hee  
1155 Akipola Street  
Kailua, HI 96734  
*Pro Se*

/s/ Miniard Culpepper Jr. \_\_\_\_\_  
MINIARD CULPEPPER JR.